

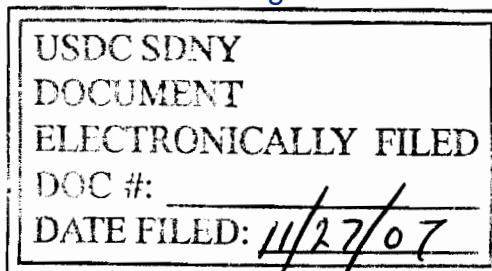
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

NOEL VELEZ,

Defendant.



07 Cr. 743 (GEL)

ORDER

GERARD E. LYNCH, District Judge:

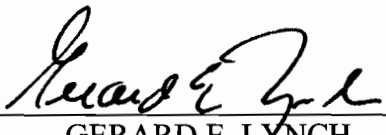
In a letter dated November 26, 2007, the Government requests that the suppression hearing, currently scheduled for November 30, 2007, be adjourned to December 6, 2007, at 2 p.m. The Government further requests that the time until December 6, 2007, be excluded under the Speedy Trial Act. Defense counsel has consented to the adjournment as well as the extension of time. This request is made because the officer who arrested Defendant Velez and who will be the main witness at the suppression hearing underwent unexpected surgery recently and will be unavailable the day of the suppression hearing because of a medical appointment.

The Court finds that the interests of justice are served by this brief adjournment to ensure that the arresting officer will be present to testify and that an adequate and complete factual record may be developed upon which the Court can base its decision. These interests outweigh the interests of the defendant and the public in a speedy trial. It is therefore

ORDERED, that the hearing on the suppression motion is adjourned until December 6, 2007, at 2:00 p.m. It is further ORDERED that the time from November 26, 2007, to December 6, 2007, be excluded in the interests of justice from all calculations under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(8)(A).

SO ORDERED:

Dated: New York, New York
November 26, 2007


GERARD E. LYNCH
United States District Court Judge